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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William Darcy Sampson

Serial No.: 10/734,780

Filed: 12/12/2003

For: FLUID CONTROL APPARATUS

Attorney File: 5695cip

Examiner: RIVELL, JOHN

Group: 3753

I hereby certify that this correspondence is being deposited by fax, fax no: (571) 273-8300 and addressed to: Examiner John Rivell, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Aug. 7, 2006 by applicant's attorney, Thomas N. Phung.

Thomas N. Phung
Thomas N. Phung

Aug. 7, 2006
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REVISED DECLARATION

Sir:

Pursuant to the Office's phone call of August 3, 2006 during which the Office notified Applicant's attorney, Thomas N. Phung, that the present case has been removed from issuance because the original declaration does not contain the Applicant's home address, enclosed please find a new executed declaration containing the Applicant's address.

Respectfully submitted,

JACOBSON AND JOHNSON

By

Thomas N. Phung

Thomas N. Phung, Reg. No. 53,466
Attorneys for Applicant
Suite 285
One West Water Street
St. Paul, Minnesota 55107-2080
Telephone: 651-222-3775
Fax: 651-222-37765

TNP/tp
Enclosure

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE NAMED ABOVE. REVIEW BY OTHER PERSONS IS STRICTLY PROHIBITED AND IS UNLAWFUL. IF RECEIVED IN ERROR, PLEASE TELEPHONE JACOBSON AND JOHNSON AT 651/222-3775 AND DESTROY THIS TRANSMISSION WITHOUT READING SAME.

DECLARATION, POWER OF ATTORNEY AND PETITION.

I, William Darcy Sampson, declare that I am a citizen of Australia residing at Unit 7/11-13 Curtis Street, Caringbah, New South Wales 2229 Australia; that I have read the foregoing specification and claims and verily believe I am the original first and sole inventor of the invention FLUID CONTROL APPARATUS, described and claimed therein; that this application in part discloses and claims subject matter disclosed in my earlier filed pending application, Serial No. 10/285,804 filed 10/07/2002; that, as to the subject matter of this application which is common to said earlier application, that I do not know and do not believe that this invention was ever known or used before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to said earlier application; or in public use or on sale in the United States more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor's certificate before the date of said earlier application in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than 12 months before said earlier application; and that no application for patent on this invention has been filed by me or my representatives or assigns in any country foreign to the United States, except as stated here and above.

That as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to file date of this application or in public use or on sale in the United States more than one year prior to file date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; and that no application for patent on said invention has been filed by me or my representatives or assigns in any country foreign to the United States; that I acknowledge a duty to disclose information which I am aware of which is material to the patentability of this application in accordance with Title 37 Code of Federal Regulations Paragraph 1.56(e).

And I hereby appoint Marvin Jacobson, Reg. No. 20,196; Carl L. Johnson, Reg. No. 24,273; and Thomas N. Phung, Reg. No. 53,466, as my attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Please mail all correspondence to the following address:

Carl Johnson
Jacobson and Johnson
Suite 285
One West Water Street
St. Paul, Minnesota 55107-2070

That, I have reviewed the declaration and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in the declaration.

Therefore, I pray that Letters Patent may be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney and this petition. The undersigned petitioner declares further that all statements made herein of my knowledge are true and that all Statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date 7 August, 2006


William Darcy Sampson

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